

EXPLANATION OF PRESENTATION FORMAT:

Regulation text proposed for adoption is shown as underlined.

For example: Text for adoption

Regulation text proposed for deletion is shown as ~~strikeout~~.

For example: ~~Text for deletion~~

CALIFORNIA CODE OF REGULATIONS
Title 9. REHABILITATIVE AND DEVELOPMENTAL SERVICES
Division 1. Department of Mental Health
Chapter 2. Conflict of Interest Code

AMEND Section 400 to read as follows:

400. General Provisions.

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted Section 18730 of Title 2, California Code of Regulations (CCR), containing the terms of a standard Conflict of Interest Code. Section 18730 may be incorporated by reference, and may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of Section 18730 of Title 2, CCR and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendices (in which officials and employees are designated and disclosure categories are set forth), are hereby incorporated by reference. These terms, amendments and Appendices constitute the Conflict of Interest Code of the Department of Mental Health.

Designated employees shall file statements of economic interests with the Department of Mental Health. The Director's original statement shall be sent to the Fair Political Practices Commission and a copy retained by the filing officer.

NOTE: Authority cited: Sections 87300 and 87306, Government Code.
Reference: Section 87300, et seq., Government Code.

Appendix A

Designated Employees

*Assigned
Disclosure
Categories*

DIRECTOR'S OFFICE

Director	1
Chief Deputy Director	1
Assistant Director, External Affairs	1
Special Assistant to the Director	1
Chief, Community and Consumer Relations	4
Consumer Liaison	2
All Staff Counsels	1
Supervising Special Investigators	4, 5 & 6

Career Executive Assignments (CEA)

Assistant Director, Clinical Services	1
Assistant Director, Legislation	1
Chief, Office of Multicultural Services	1
Chief, Office of Human Rights	3
Chief Counsel	1

California Mental Health Planning Council

Executive Officer	1
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SYSTEMS OF CARE

CEA

Deputy Director, Systems of Care	1
Assistant Deputy Director, Systems of Care	1
Chief, Evaluation Statistics and Support	2, 3 & 4
Chief, Program Policy and County Operations	2, 3 & 4
Chief, Medi-Cal Mental Health Policy	2 & 3

Specialized Programs/Early Mental Health Initiative

Mental Health Program Supervisor	2
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Specialized Programs/Adult Systems of Care

Program Support/County Operations – North and South

Mental Health Program Supervisor	2
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ADMINISTRATIVE SERVICES

CEA

Deputy Director, Administrative Services	1
Chief, Human Resources	3
Chief, Financial Services	1&4
Chief, County Financial Program Support	3
Chief, Information Technology	3

Employee Safety and Support Services Human Resources

Staff Services Manager II	3
Associate Governmental Program Analyst	3
Associate Business Management Analyst	3
Health and Safety Officer	2
Business Services Officer	3
Business Services Assistant	3
Records Management Analyst	3

Financial Services

Accounting Administrators I	2
Accounting Administrator II	2
Associate Budget Analyst	4

Information Technology

Data Processing Managers	3
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LONG TERM CARE SERVICES

CEA

Deputy Director, Long Term Care	1
Assistant Deputy Director, Long Term Care	1
Chief, Hospital Operations	1 & 3
Chief, Hospital Security	1 & 3
Chief, Forensic Services	2
Chief, Sex Offender Commitment Program	3
Chief, Program Policy & Fiscal Support	2, 3 & 4

Forensic Services

Mental Health Program Supervisors	2
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State Hospitals

CEA

Executive Director	1
Medical Director	1 & 6
Hospital Administrator	1 & 3
Clinical Administrator	1 & 6

Accounting Administrators I	4 2
Accounting Officers	2

Assistant Hospital Administrator	3 & 6
Chief, Physician and Surgeon	3 & 6
Chiefs of Plant Operations	3
Chief of Professional Education	3 & 6
Data Processing Managers †	2
Director of Dietetics	3
Assistant Director of Dietetics	3
Hospital General Services Administrators	3 & 6
Patient Benefit and Insurance Officers	1
Pharmacy Services Manager	3 & 6
Senior Special Investigators	4, 5 & 6
Training Officers	3

PROGRAM COMPLIANCE

Deputy Director, Program Compliance	1
Mental Health Program Supervisor	2
Supervising Governmental Auditors † & ‡	1

OTHER

All Career Executive Assignments (CEA)	1
Deputy Director	
Executive Director	
Assistant Deputy Director	
Assistant Director, External Affairs	
Medical Director, CEA	
Hospital Administrator	
Clinical Administrator	
Chief, Office of Multicultural Services	
Chief, Office of Human Rights	
Chief, Systems Implementation & Support	
Chief, Systems Planning, Development and Evaluation	
Chief, Long Term Care Reform Program Policy and Fiscal Support	
Chief, Specialized Programs	
Chief, Hospital Operations	
Chief, Forensic Services	
Chief, Sex Offender Commitment Program	
Chief, Human Resources	
Chief, Financial Services	
Chief, County Financial Program Support	
Chief, Information Technology	
Chief Counsel I, CEA	
Chief, Hospital Safety and Security	

All Department Consultants* 1

*Consultants should be included in the list of designated employees and should disclose pursuant to the broadest disclosure category in the Code subject to the following limitation:

With respect to Consultants, the Director, however, may determine in writing that a particular consultant, although a “designated person”, is hired to perform a range of duties that are limited in scope and thus not required to comply with the disclosure requirements described in this Section. Such determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. ~~The Director shall forward a copy of this determination to the Fair Political Practices Commission.~~ Nothing herein excuses any such consultant from any other provision of this Economic Interest Code.

Appendix B

Disclosure Categories

Category 1

Designated employees assigned to this category must report:

Interests in real property located within one mile of any hospital subject to the Department jurisdiction, and all investments and business positions in business entities and sources of income, ~~received from sources including loans, gifts, and travel payments in the State of California, doing business within the State of California, planning to do business within the State of California, or having done business within the State of California within two years prior to any time period covered in a statement of economic interest.~~

~~His or her status as a director, officer, partner, trustee, employee or holder of a management position in any business entity in the State of California, doing business within the State of California, planning to do business within the State of California, or which had done business within the State of California within two years prior to any time period covered in a statement of economic interest.~~

Category 2

Designated employees assigned to this category must report:

All investments and business positions in business entities and sources of income, including loans, gifts, and travel payments ~~received from sources in the State of California, doing business within the State of California, planning to do business within the State of California, or having done business within the State of California within two years prior to any time period covered in a statement of economic interest.~~

~~His or her status as a director, officer, partner, trustee, employee or holder of a management position in any business entity in the State of California, doing business within the State of California, planning to do business within the State of California, or which had done business within the State of California within two years prior to any time period covered in a statement of economic interest.~~

Category 3

Designated employees assigned to this category must ~~disclose~~ report:

~~Investments and business positions in any business entity entities and sources of income, including loans, gifts, and travel payments, any income received from a source of the type which, within the previous two years, did to contract with the Department of Mental Health to provide services, equipment, leased space, materials or supplies to or on behalf of the Department of Mental Health.~~

~~His or her status as a director, officer, partner, trustee, employee or holder of any position of management in any business entity of the type which, within the previous two years, did contract with the Department of Mental Health to provide services, equipment, leased space, materials or supplies to or on behalf of the Department of Mental Health.~~

Category 4

Designated employees assigned to this category must ~~disclose~~ report:

~~Investments or and business positions held in any business entity entities and sources of income, including loans, gifts, and travel payments, any income from a source of the type which, within the previous two years, did to be eligible to receive grants or other monies (excluding monies received pursuant to the contracts as specified above in Category 3 disclosure) from or through the employee's division of the Department of Mental Health and investments in business entities of the type which provide consultant services to any business entity made reportable by this disclosure category.~~

Category 5

Designated employees assigned to this category must ~~disclose~~ report:

~~Investments and business positions in any business entityies and any sources of income, including loans, gifts, and travel payments, from a source of the type which, within the previous two years, was issued a license, permit or certification from, or otherwise that are regulated by, the division of the Department of Mental Health where in which the designated employee holds his or her position.~~

~~His or her status as a director, officer, partner, trustee, employee or holder of any position of management in any business entity which, within the previous two years, was issued a license, permit or certificate from, or otherwise regulated by, the division of the Department of Mental Health where the designated employee holds his or her position.~~

Category 6

Designated employees assigned to this category must ~~disclose~~ report:

~~Investments or and business positions held in business entities and sources of income, including gifts, loans, and travel payments, of the type to be eligible from sources which may be the recipient of to receive patient referrals for the delivery of health care services or supplies by the employee's hospital to which the employee is assigned.~~